

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

THADIUS J. HOLLAND,

Plaintiff,

v.

TORRES, *et al.*,

Defendants.

Case No. 1:24-cv-00557-JLT-BAM (PC)

ORDER REGARDING PLAINTIFF'S
RESPONSE TO OPPOSITION TO
SANCTIONS
(ECF No. 51)

ORDER DISREGARDING DEFENDANT
TORRES' OPPOSITION TO MOTION FOR
SANCTIONS AND DEFENDANT GISH'S
JOINDER IN OPPOSITION
(ECF Nos. 47, 48)

ORDER DIRECTING CLERK OF COURT TO
CORRECT DOCKET ENTRY
(ECF No. 43)

Plaintiff Thadius J. Holland ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff's first amended complaint against Defendants Guadalupe Torres and Candice Gish ("Defendants") for deliberate indifference to medical care in violation of the Eighth Amendment.

On August 29, 2025, Plaintiff filed a "Notice of Intent to File & Safe-Harbor for Motion on Sanctions; Motion on Sanctions; Memorandum in Support," which is identified on the docket as a Motion for Sanctions. (ECF No. 43.) Defendant Torres filed an opposition on September 18, 2025. (ECF No. 47.) Defendant Gish filed a joinder in opposition on September 26, 2025. (ECF No. 48.) Defendant Gish reportedly read Plaintiff's August 29, 2025 filing as only a statement of

1 intention to file a motion pursuant to Federal Rule of Civil Procedure 11, but filed the joinder in
2 an abundance of caution. (*Id.* at 1 n.1.)

3 On September 29, 2025, Plaintiff filed a response to Defendant Torres' opposition to
4 sanctions. (ECF No. 51.) Plaintiff states that he has not filed a motion for sanctions, "having
5 only filed a notice of intent, and including as an attachment the motion intended to be filed." (*Id.*
6 at 1.) Plaintiff requests that Defendant Torres' opposition be stricken from the record or, if the
7 Court accepts the opposition, then a hearing be set. (*Id.*)

8 Based on Plaintiff's representation that he has not filed a motion for sanctions and has
9 only filed a notice of intent to file such a motion, IT IS HEREBY ORDERED as follows:

- 10 1. Defendant Torres' opposition to the motion (ECF No. 47) and Defendant Gish's joinder in
11 the opposition (ECF No. 48) are DISREGARDED; and
- 12 2. The Clerk of the Court is DIRECTED to correct the associated docket entry for Plaintiff's
13 August 28, 2025 motion for sanctions to terminate the motion and convert the filing to a
14 document titled: "Notice of Intent to File & Safe-Harbor For Motion on Sanctions."

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16 IT IS SO ORDERED.

17 Dated: October 29, 2025

18 /s/ Barbara A. McAuliffe
19 UNITED STATES MAGISTRATE JUDGE
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